

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

MATTHEW HORTON

PLAINTIFF

V.

CASE NO. 2:18-CV-146-BSM-BD

JOHNNIE JONES

DEFENDANT

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections

This Recommended Disposition (“Recommendation”) has been sent to Chief Judge Brian S. Miller. Mr. Horton may file written objections to this Recommendation if he wishes. Objections should be specific and should include the factual or legal basis for the objection. To be considered, objections must be received in the office of the Court Clerk within 14 days of this Recommendation.

If no objections are filed, Judge Miller can adopt this Recommendation without independently reviewing the record. By not objecting, Mr. Horton may waive the right to appeal questions of fact.

II. Discussion

Rico Williams filed this federal civil rights lawsuit without the help of a lawyer on behalf of himself, Matthew Horton, and Robert Foster, all inmates at the St. Francis County Detention Facility. (Docket entry #1) Pursuant to court policy, each Plaintiff’s claim was filed as a separate lawsuit.

On November 1, 2018, the Court ordered Mr. Horton to submit a completed application to proceed *in forma pauperis* (“IFP”) or pay the filing fee within 30 days if he

wanted to pursue his claims. (#2) To date, Mr. Horton has failed to comply with the Court's November 1, 2018 Order, and the time for doing so has passed. The Court specifically cautioned Mr. Horton that his claims would be dismissed if he failed to address the filing fee requirement. (#2)

III. Conclusion

The Court recommends that Mr. Horton's claims be DISMISSED, without prejudice, based on his failure to comply with this Court's November 1, 2018 Order and his failure to prosecute this lawsuit.

DATED, this 4th day of December, 2018.


UNITED STATES MAGISTRATE JUDGE